

## REMARKS

### I. Introduction

By this amendment, claim 3 has been amended to correct an informality. Claims 1, 11, 19 and 28 have also been amended. Claims 2, 4-10, 12-18, and 20-27 are also in the case. A Petition for a two month Extension of Time is being submitted with this Reply. An Information Disclosure Statement is also being submitted with this Reply. Reconsideration of this application in view of the following remarks is respectfully requested.

### II. The Rejection Under 35 U.S.C. § 102(e)

Claims 1-9, 11-17, 19-26 and 28 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,850,218 to LaJoie et al. ("LaJoie").

Applicant's invention addresses a particular problem that may arise for users of programming services having access to channels of several different media types. As Applicant describes, "each media type may have visual displays and sound levels, as well as a required degree of user attention/interaction, that are distinctive for that particular type of media. It may be confusing to the user to switch between media types during a viewing session" (specification, pp. 12-13).

Applicant's invention solves this problem, as defined by the amended pending claims, by providing an electronic program guide which provides the user with an option for constraining the

user's access of all the available channels to a smaller subset of channels. The program guide includes means for providing the user with an option to select favorite channels. The program guide also includes means for designating a preferred media type independently of the means for providing the user with the option to select favorite channels. The subset of channels is produced by filtering the available channels using favorite channels and preferred media as selection criteria (see, e.g. FIG. 9, and p. 19, lines 21-26).

LaJoie neither discloses nor suggests the claimed invention. For example, LaJoie shows a guide which can identify a specific service associated with a channel by using a pointer which points from a channel table 101, which identifies particular channel numbers, to service table 103, which is associated with particular services. LaJoie also shows that the user may select favorite channels and display a listing 306 of favorite channels.

However, LaJoie does not disclose or suggest the concept of designating a preferred media type independent of the favorite channel selection. Because the preferred media type cannot be designated as a separate sort criterion, the LaJoie system cannot filter the available channels to produce a subset of channels consisting only of favorite channels of the preferred media type. Accordingly, Claims 1, 11, 19 and 28 are therefore not anticipated by LaJoie and are in condition for allowance. Claims 2-10 which depend from claim 1, claims 12-18 which depend

from claim 11 and claims 20-27 which depend from claim 19 are allowable because claims 1, 11 and 19 are allowable.

It is respectfully requested that the rejection be withdrawn.

### III. The Rejection Under 35 U.S.C. § 103

Claims 10, 18 and 27 were rejected under 35 U.S.C. § 102(e) as being anticipated by LaJoie in view of U.S. Patent 5,801,747 to Bedard (hereinafter "Bedard").

As described above, claims 1, 11 and 19 are allowable over the art cited by the Examiner. Since claim 10 depends from claim 1, claim 18 depends from claim 11, and claim 27 depends from claim 19, claims 10, 18 and 27 are likewise allowable. It is respectfully requested that the rejection be withdrawn.

### IV. Additional Art cited in Supplemental Information Disclosure Statement

A Supplemental Information Disclosure Statement is also being submitted with this Reply, which includes Young et al. U.S. Patent 5,353,121 (the "Young" patent). It is respectfully submitted that the claims in their current form, are allowable over Young. For example, Young neither discloses nor suggests "designating a preferred media type which reflects the user's interests".